



UNITED STATES
PATENT AND
TRADEMARK OFFICE

MAY 17 2002

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY
AND DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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LAW OFFICES OF JONATHAN ALAN QUINE
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In re Application of :
Jeffrey L. Cleland et al :
Serial No.: 08/846,933 : PETITION DECISION
Filed: April 30, 1997 :
Attorney Docket No.: 402E-916903 :

This is a decision on the petition under 37 CFR 1.181, filed February 25, 2002 (Certificate of Mailing dated December 28, 2001), to Withdraw Holding of Abandonment due to a timely filed response not being received by the Office.

A review of the file history shows that the examiner mailed an Office action to applicants on April 23, 2001, setting a three month shortened statutory period for reply. Applicants mailed a reply to the Office on October 23, 2001, accompanied by a request for a three month extension of time and the fee therefore. The Office apparently did not receive the reply and the examiner mailed a Notice of Abandonment to applicants on November 2, 2001. Applicants filed this petition accompanied by a copy of the missing reply on December 28, 2001. In view of the evidence presented, applicants copy of the reply is accepted as timely. The Notice of Abandonment is withdrawn as having been mailed in error and the application is restored to pending status with the mailing of this decision.

Applicants' petition under 37 CFR 1.181 is GRANTED.

The reply will be entered in the file and the fee of \$920.00 for a three month extension of time will be charged to applicants' Deposit Account No. 50-0893, as directed. The application will then be forwarded to the examiner for further consideration.

Should there be any questions with respect to this decision, please contact William R. Dixon, Jr., by mail addressed to: Director, Technology Center 1600, Washington, D.C. 20231, or by telephone at (703)308-3824 or by facsimile transmission at (703) 305-7230.


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